

1

2

3

4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

5

6

7

8

9

10

11

VINCENT KEITH BELL,
Plaintiff,
v.
KEN LEE, et al.,
Defendants.

Case No. 13-cv-05820-SI

**ORDER RE (1) STAY AND (2)
DISCOVERY DISPUTES**

Re: Dkt. Nos. 94, 111, 113, 114

On May 12, 2017, the Court heard argument on whether this case should be stayed in light of the pending criminal proceedings against plaintiff, in which he is currently unrepresented. For the reasons stated on the record, the Court finds it appropriate to enter a stay at this time. The parties shall appear for a status conference on **September 22, 2017**. One week prior, they shall file a joint statement regarding the status of the criminal case and whether there is a continued need for a stay.

The Court also ordered the parties to meet and confer on the pending statements of discovery disputes (Dkt. Nos. 111, 113, 114) and report back. After their meet and confer, the parties stated their agreements on the record for several of the discovery issues. For the remaining issues, the Court ORDERS, as stated on the record, the following:

- Site Inspection: In addition to the parties' agreement regarding the site inspection, defendants shall allow plaintiff's counsel to inspect the monitor(s) at issue, but plaintiff's counsel may not take photographs. If a need for photographs arises after the inspection, plaintiff may raise the issue again.
- Medical Records and Costs of Care: In regards to plaintiff's medical records and the costs of his medical care (Plaintiff's RFP Set 5, No. 1; RFP Set 6 Nos. 1-2),

1 plaintiff shall serve a subpoena on the appropriate custodians of the sought
2 materials. If plaintiff is unsatisfied with the results, he may raise this issue again
3 after the stay.

- 4
- Depositions: Plaintiff's request to reopen defendants' depositions is denied.
 - 5 • Affirmative Defenses: Defendants must respond to plaintiff's Interrogatory No. 1
of Set 3 regarding their affirmative defenses.
 - 6 • Witness Identification: Defendants shall respond to plaintiff's RFP No. 8 of Set 5
with a list of names of individuals who were present at the time of the underlying
9 incident in the areas described on the record. They need not produce any other
10 documents in response to this RFP at this time.

11 Responses and materials produced shall be designated in accordance with the parties' protective
12 order as they agreed on the record.

13

14 **IT IS SO ORDERED.**

15 Dated: May 12, 2017

16 
17 SUSAN ILLSTON
18 United States District Judge

19
20
21
22
23
24
25
26
27
28